



The Comptroller General  
of the United States

Washington, D.C. 20548

## Decision

Matter of: Flex-O-Lite, Inc.

File: B-229818

Date: February 23, 1988

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### DIGEST

Protest is dismissed where the protestor is, at most, a potential subcontractor to a contract awardee, and therefore is not an "interested party" under the Competition in Contracting Act.

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### DECISION

Flex-O-Lite, Inc., protests any award of a contract under solicitation No. F34650-87-R-0524 for airfield and street marking issued by the Oklahoma City Air Logistics Center, Tinker Air Force Base, Oklahoma. Flex-O-Lite complains that the specifications in the solicitation improperly call for "Type I" glass beads to be used in airfield striping, rather than "Type III" beads, which Flex-O-Lite contends provide greater visibility and safety.

Because Flex-O-Lite is not an "interested party" under the Competition in Contracting Act (CICA), 31 U.S.C. § 3551(2) (Supp. III 1985), we dismiss the protest.

Only an "interested party" may file a protest with the General Accounting Office (GAO). 4 C.F.R. § 21.1(a) (1987). The term "interested party" is defined in the CICA as "an actual or prospective bidder or offeror whose direct economic interest would be affected by the award of the contract or by failure to award the contract." 31 U.S.C. § 3551(2) (Supp. III 1985). See 4 C.F.R. § 21.0(a) (1987).

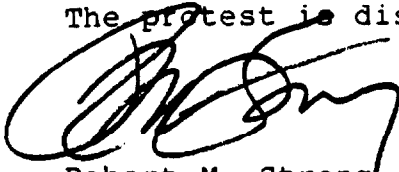
Flex-O-Lite is a supplier of glass beads commonly used in airfield and street marking and is therefore a potential subcontractor to the contract awardee in this case.

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Nonetheless, the Air Force has pointed out, and Flex-O-Lite does not dispute, that it is neither a bidder nor a prospective bidder on this solicitation. Flex-O-Lite did not bid on the solicitation.

Therefore, because Flex-O-Lite is, at most, a potential subcontractor to the contract awardee, it is not an "interested party" under the Competition in Contracting Act. Mid South Dredging Company--Request for Reconsideration, B-228677.2, Aug. 20, 1987, 87-2 C.P.D. ¶ 191; Northern Virginia Consultants, Inc., B-227787, Aug. 24, 1987. 87-2 C.P.D. ¶ 199.

The protest is dismissed.

A handwritten signature in black ink, appearing to read 'R. Strong', is written over the typed name of Robert M. Strong.

Robert M. Strong  
Deputy Associate  
General Counsel